

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL CASE NO. 5:14-cv-00189-MR**

**EDWARD L. BROOKS, JR., )**

**Plaintiff, )**

**VS.** )

## ORDER

**CAROLYN W. COLVIN, Acting )  
Commissioner of Social Security )  
Administration, )**

**Defendant.** )

**THIS MATTER** is before the Court on the Plaintiff's Response to Show Cause Order [Doc. 10].

On May 14, 2015, the Court entered an Order directing the Plaintiff to show cause for his failure to effect service of the Summons and Complaint on the Defendant. [Doc. 9]. That same day, the Plaintiff's counsel filed the present Response, advising that counsel had not realized that the Complaint and Summonses had not been served by the United States Marshal Service (USMS) until the Show Cause Order issued. Counsel requests an additional forty-five days for summonses to be reissued and for service to be effected. [Doc. 10].

For the reasons stated in the Plaintiff's Response and for cause shown,

**IT IS, THEREFORE, ORDERED** that:

(1) Plaintiff shall have forty-five (45) days from the entry of this Order within which to perfect service on the Defendant;

(2) Plaintiff's counsel shall prepare summonses for all appropriate parties and submit the summons to the Clerk via Cyberclerk within seven (7) days of entry of this Order;

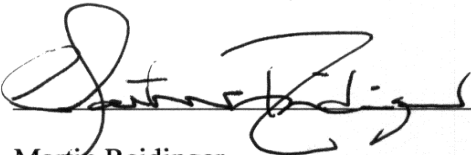
(3) Upon receipt of the summons, the Clerk shall deliver process to the United States Marshal for service;

(4) The United States Marshal shall serve process upon the Defendant at the expense of the United States Government. Although the United States Marshal shall serve process in this action, it remains the responsibility of counsel to ensure that process is effected; and

(5) The Show Cause Order [Doc. 9] is hereby **DISCHARGED**.

**IT IS SO ORDERED.**

Signed: May 20, 2015

  
Martin Reidinger  
United States District Judge

